

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA**

Daniel Bloebaum,)	
Plaintiff)	Civil Action No.:
)	
vs.)	
)	
Department of Veteran Affairs, Denis McDonough,)	
Secretary United States Department of Veteran Affairs,)	
Defendant.)	

COMPLAINT FOR DAMAGES

1. This is an employment action brought by Plaintiff Daniel Bloebaum to recover damages against the Department of Veteran Affairs for violation of the Plaintiff's right including employment discrimination and retaliation in violation of Title VII of the Civil Rights Act of 1964 (Title VII), as amended, 42 U.S.C. §2000e et seq.

Parties

2. Plaintiff, Daniel Bloebaum, resides at 3014 Oakmont Court, Saint Charles, MO 63301.
3. Defendant, Department of Veteran Affairs, may be served pursuant to Federal Rules of Civil Procedure § 4(i) by serving Denis McDonough, Secretary of the department of Veteran affairs at 810 Vermont Avenue NW, Washington, D.C. 20420, Merrick Garland as US Department of Justice, 950 Pennsylvania Avenue NW, Washington, DC 20530, and David Estes US attorney for the Southern District of Georgia, 600 James Brown Blvd. Suite 200, Augusta, Georgia 30901.
4. The actions that form the basis of this complaint occurred at the Department of Veteran Affairs in Augusta, Georgia.

Jurisdiction

5. This is an action involving subject matter jurisdiction and a violation of Title VII by failing to hire the Plaintiff for engaging in protected activity when he had been selected for a position with the Department of Veteran Affairs in Augusta, Georgia.
6. Jurisdiction and Venue are proper in the United States District Court Northern District of Georgia pursuant to 28 U.S.C. 1391 (c) (2).

Exhaustion of administrative remedies
7. Plaintiff filed his discrimination and retaliation complaint with the U.S. Equal Employment Opportunity Commission a decision on the request for reconsideration was made on February 22, 2021 (Appeal No.: 202003022, Request No.: 202100977) which was the Commission's final decision and gave the Plaintiff 90 days to file in United States District Court.

Factual Allegations
8. The Plaintiff applied and was selected for a Program Specialist Position with the Department of Veteran Affairs.
9. On July 8, 2015, Plaintiff learned that despite being selected for the position of Program Specialist he was not hired.
10. Mr. Elko the selecting official was prohibited from hiring the Plaintiff by Ms. Cox-Henley.
11. Ms. Cox- Henley directed Mr. Elko, to not hire Complainant due to the negative feedback provided by Mr. Ronald Keen, former Chief Nurse for Ambulatory Care and Ms. Nancy Gilmore-Lee, Chief Nurse for Geriatrics and Extended Care,

based upon their experiences with Plaintiff while working with him at the Eisenhower Army Hospital in Augusta, Georgia.

12. The only interactions that the Plaintiff had with Ronald Keen and Nancy Gilmore-Lee at Dwight D. Eisenhower Army Medical Center were in connection to protected EEO activity.
13. The Agency was aware of Plaintiffs engagement in protected activity at Dwight D. Eisenhower Medical Center.
14. Plaintiff lost work and income as a result of the Agency's failure to hire the Plaintiff for the Program Specialist position, despite effort to find replacement work.
15. The above described retaliation was done to dissuade the Plaintiff and others from engaging in EEO activity against the Defendant.
16. Plaintiff is entitled to compensatory and punitive damages as a result of Defendant's retaliation.
17. Plaintiff is entitled to back pay.
18. Plaintiff is entitled to front pay for the income he will lose by not being hired for the position.
19. Plaintiff is entitled to prejudgment interest.
20. Plaintiff is entitled to costs and attorney fees to pursue this action.

Prayer for relief

Wherefore, Plaintiff prays that he be:


- (a) Awarded compensatory damages;
- (b) Awarded back pay for the difference in pay from the date of not hiring Plaintiff;

- (c) Awarded prejudgment interest;
- (d) Awarded "front pay" for the future income he will lose as a result of not hiring the Plaintiff.
- (e) Awarded punitive damages;
- (f) Awarded reasonable attorney fees and costs and;
- (g) Requests such other and further relief as this Honorable Court may provide.

Jury Demand

Plaintiff, Daniel Bloebaum, demands a trial by jury on all the issues in this action which are triable by law.

Respectfully submitted this 7th day of May 2021.


Shellana Welch
Georgia Bar No.: 484058
P.O. Box 358
Grovetown, Georgia 30813
Telephone: (706) 750-8455
shellana.welch@gmail.com


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Department of Veteran Affairs, Denis McDonough,)
Secretary United States Department of Veteran Affairs,)
Defendant.)

Personally appeared before me, the undersigned officer, duly authorized to administer oaths, Daniel Bloebaum who first being duly sworn, deposes, and states that the statements contained in the within and forgoing Complaint for Damages are true and correct to the best of his knowledge, information, and belief. However, said information is not based solely upon the information of the executing party, but includes information obtained through his agents, representatives, and attorneys.

The word usage and sentence structure may be that of the attorney assisting in the preparation of documents and does not necessarily purport to be the precise language of the executing party.

This 3 day of MAY 2021.


Daniel Bloebaum

Sworn and Subscribed to me

This 03 day of May, 2021.

Notary Public
State of Missouri.

My Commission Expires: _____

10/22/2023

